

U.S. DISTRICT COURT
DISTRICT OF WYOMING
①

In the 10th District Federal Court Casper Wyoming

2024 APR -5 PM 2:05

MARGARET BOTRINS, CLERK
CASPER,

Plaintiff:

Kevin Harm Schilthuis,

Minor Children

Case No:

24cv74-SWS

V.

Keri Lynn Schilthuis, individual

Defendants as listed Below

All Under Color of Law

this day April 5, 2024 Comes now Kevin Schilthuis; Fit Father, Pro Se Farmer

**Father, Plaintiffs Request for Emergency Injunction, Cease and Desist
Relief, and Stay of enforcement of Federal Rules of Procedure and
Deadlines to submit formal 42 USCS 1983 Civil Rights Complaint.**

Plaintiffs do request an Emergency Injunction and Order to Stay the April 8 2024 11am Show Cause hearing against him in Wyoming State 5th Judicial District Court, case cv2022-060, Clerk of Court Basin Wyoming, father was served this Order to Show Cause April 1, evening.

(2)

Plaintiffs do request an Emergency Injunction and Order for the State of Wyoming to Cease and Desist all enforcement and retaliatory actions until they follow Rules of Law that protect the rights of all Individuals

Plaintiffs do request that the 10th Federal District Court shall docket a case number with regards to these proceedings, as a 42 USCS 1983 claim naming Father Kevin Schilthuis, and minor children as Plaintiffs in the Action. Father has been told he must do so in Order to file an Emergency Injunction in Federal Court. Father has exhausted opportunities for Relief in Wyoming, including through the Wyoming Supreme Court. Department of Justice has told Father to submit his paperwork to local Sheriff and as Civil Rights claim, until Sheriff will quantify criminal acts.

The Facts of the Case:

Many requests by Plaintiffs for relief may allege that breaches in law occurred when state officials engage in a pattern of deliberate and persistent refusals of providing him protection under laws under the Constitution. In fact precedent exists where it is proof that Title 1 Courts do enable a State Propogated danger to its citizens with use of Broad Jurisdiction, and these States have been held accountable in Federal Court. Father does make the same claim,

But in addition to sins of omission by the State of Wyoming, Father will also prove known, willing, collusive Fraud and Due Process interagency violations between State Parties, their Friends, and Individuals who profit from the acts for years.

While Father, Plaintiff researches that Family Court issues are not readily accepted in Federal Court, we must review the historical Deprivation of Rights, Fraud, Illegal Search and Seizure, Brady, Speedy Trial, Electronic Computer Fraud, Child abuse, Spoilage of Records and Documents, Perjury, Interstate Wire Fraud, Mail Fraud, Constructive Fraud which has culminated in civil Rights violations to The Parties, namely Father and Minor Children.

Violations by those Operating Under Color of Law

These Federal violations include and are not limited to 381 us 479 (1965); 42 US code 1985, 42 U.S. Code 1986, 42 U.S. Code 1983, 42 U.S. code 1982, 42 US code 1349, 18 US code 1346, 18 us code 373, 18 US code 371, 18 usc 242, 18 USc241



Violations of the Amendments of the Bill of rights 1791 include and are not limited to I, II, IV, V, VII, IX, X, XI

Violations to Article 4 Section 4, for individuals to access Republican Government especially when in duress.

Defendants operating under Color of Law include, and are named in affidavits attached to this Notice of Claim to 10th Federal District court today.

The named Defendants include:

1/ Big Horn County Commissioners,

Felix Corrizales and others, February 2020 when they kicked Father out of Public Meeting and did not give him access to special districts in the County, and these acts were referenced by Plaintiff lawyers who were told false arrest by Big horn County sherrif was Reprisal.

2/ Big Horn County Sherrif , including

Sheriff Ken Blackburn,

Deputy Newman

Deputy Jolley

Jailer

Other unnamed deputies. Starting April 8 2021 The Big Horn County Sherrif has enabled violations of the Domestic Protective Act, Freedom of Information act, illegal search and seizure, Deprivation of Rights , illegal incarceration, failure to produce Subpoenas and Foia Requests, and felony threatening to Plaintiffs with threats of false arrest. 4 days in solitary confinement and no access to lawyer, removed from Familial Association rights, and Sherrif gives jurisdiction to victims advocates, federally funded who do not preserve rights of all individuals. Mr. Blackburn states he does not know what DSM-5 is, belittles CIT training, and calls the ladies in Big Horn County Prosecutors office "PENIS HATERS" as did Craig Abraham attorney. Discrimination against men is apparent and those under color of law offer us no civil and social services to help us and our families.

(4)

3/Lovell Police Department

Officer Piper and others. Piper on May 31 2021 did tell Father he does not discriminate and would have a conversation but did arrest Father and file false reports that defamed and debilitated Fathers rights to defend himself

4/ Big Horn County Prosecutor,

Marcia Bean, Kim Mickelson, Jessie Nutall, and others

Proven False charges, malicious prosecution using illegally obtained electronic documents which were used to abuse and terrorize the children and used threats and coercion and subpoenaed minor children to testify against the father for 18 months. Brady and Discovery violations, willful with Fraud. Speedy Trial violations, with intent to harm. Perjury in criminal proceedings they lied to Judge. They had access to information that they would not allow Defendant to have. They heard Fathers testimony where no finding of violence was found against him but would not allow affirmative defence. They charged Father illegally with charge which kept him from having affirmative defense. Appeal was approved from Judge Luhme but then disappeared. Charges were Dropped against father, father never pled guilty to anything. Would not fulfill FOIA requests when Father needed info for Divorce Discovery.

5/ Judge Luhme 5th Wy circuit court, 2021, 2022 came out of Chambers and is recorded , Luhme told Father he couldn't see his Criminal File. Criminal File was video taped October '21, page numbered entire file July '22, and entire file received for divorce discovery spring '23. The criminal file has been spoiled and changed to match a new dialogue by corrupt Marcia Bean. 2nd amendment violations and violations of the Domestic Protective Act and 1 st amendment rights to familial association, and showed indifference when presented with claims of constitutional infringement by those under color of law.

6/ Wy 5th judicial circuit court diane Nutall, and another, May 2021-2023. These ladies are recorded saying I cant see my criminal file, both pro se and when I had a lawyer . They changed the file .

7/ Wy 5th judicial district court Serena Lipp, others are proven Fraud they change files and lie. Federal funding



8/ Wy Supreme Court Clerk Goetz, and Laura; they are proven Fraud on the Court, Decemeber 2022, spring 2023

9/ Judge Bobbi Overfield; deprivation of rights, Fraud, conspiracy to commit, child abuse, spousal abuse, wire fraud, discrimination, due process violations, abuse of process. She only ever references Wy Statutes and will NEVER rebut Constitutional claims . violations of Separation of Powers, with Malice, and when asked she shows indifference and even retaliatory actions. Conspiracy to commit human trafficking, September 2022- present

10/ Attorney Tim Blatt did not defend as per Ethics

11/ Attorney Bethia Kalenak child abuse, illegal search and seizure, cruel and unusual punishment,

12/ Keri Schilthuis, individual colluding with the State of WYomings friends and franchises; false imprisonment, deprivation of rights, malice, embezzlement, fraud, wire fraud, perjury, breach of contract, electronic fraud 2021-present, blackmail,

13/ Judge Joey Darrah, 5th judicial Circuit court, spring 2023 divorce mediation, he saw other party had his corporate information but Father did not. Darrah threatened Father he better take the deal because they would make it much worse for him if he didn't. He knew and heard discrimination and did not defend me but threatened me. Conspiracy to commit

14/Wy Supreme Court Judge Kate M. Fox discrimination, illegal service of documents, wire fraud, Fraud upon the Court. Had ability to enable fair play through WRAP but shows Fraud and Discrimination , Conspiracy, tyranny

15/ Wyoming Livestock Board controls titles to livestock but does not keep records consistent with their charter and this bias has injured Father and company and he cannot file taxes.

16/ Chris King, attorney, Apex Law 'defended ' Plaintiff but proved deprivation of rights, and Fraud, and criminal conspiracy. He lied to his client, Father and tried to get Father to admit unlawful evidence in Court. Chris King never argued on Constitutional principles for father or for Father to have access to his children, for a year, but Chris King advertises the ammendments on the walls of his office.

(b)

Chris King and County Prosecutor colluded to change Discovery and the Criminal File to cover malicious prosecution. Conspiracy to commit Nov. 2022- October 2023

17/ Cassie Craven Attorney breach of contract, false filing, deprivation of rights, indifference October 2022- April 2023

18/ Court Reporter Ranee Gonzalez, Discrimination, deprivation of rights, spoilation of Record, bias

19/ Big Horn County School district #2 deprivation of rights, discrimination, indifference 2021-current federal funding

20/ Dr . Rock child psychologist, deprivation of rights, failure to report abuse, breach of contract spring 2023

21/ Wyoming Department of Family Services, Prossers, discrimination, deprivation of rights, indifference

22/ CARES vicitims advocates. Several individuals. Carol, Perjury testifying for Respondent in Protection Order hearing, bias, discrimination, deprivation of rights to familial association, false imprisonment, illegal search and seizure Federal funding and in concert with Big Horn County Sherrif and Prosecutor

May 31, 2021-fall 2022

23/ Kurt Mcnabb Sr. is Jail Chaplin . Jail receives federal funds. Father requested Chaplin and social services and lawyer and 4 day received none. Spring 2022 Father was told by Keri Schilthuis to meet with Mr. Mcnabb before she would engage on allowing Father access to farm, livestock, business records. Father was told they would drop criminal charges if he gave up access to his children. Kurt Mcnabb Sr. is surrogate Father to arresting officer Deputy Newman. Sherriff Blackburn is recorded saying Kurt Mcnabb is great man. Only Kurt Mcnabb is given chaplin access to County Federal Jail in Basin, and access to the Jail to visit is heavily restricted.

24/ Letitia Abromats , attorney, and her husband. Fraud, domestic terrorism, Deprivation of Rights, unlawful imprisonment, 2nd amendment violations of rights

(7)

to bear defensive arms, breach of contract with malice, indifference, child trafficking, conspiracy to commit, human trafficking

And The STATEMENT OF EVIDENCE 60 pages denotes many Constitutional infractions. This statement was made to prove Due Process and Abuse of Process violations in Fathers sS-23-0292 proceedings and will be amended for a 42 USC 1983 ammended filing.

And the Statement of Facts Affidavit April 3, 2024 also has many facts of Constitutional Infractions, Injury, and Indifference through Malice, and lack of care and lack of training across many levels of those acting under Color of Law in Wyoming.

It was Fathers intent to try to reduce conflict, as conflict between Parties is abuse to Children. However,

Motion to Show Cause for Contempt served on Father, Plaintiff April 1, 2024 8 pm by Big Horn County Sherrif, and set for electronic hearing by hostile and Fraudulent Wyoming Trial Court at 11 am April 8, 2024. No injury has been alleged in the Motion to Show Cause against Father. No financial documentation has been submitted to justify the action. Father is not an Absent Parent. He has been ripped from his biological and real property for years, with Malice from the State. The Menacing action of *Motion to Show Cause with Contempt* was enabled by 5th Wy judicial District Court judge Bobbi Overfield, trial Court THE DAY AFTER Wyoming Supreme Court chief justice Kate M. Fox emailed ORDER (not stamped or sealed) DENYING Father/Appellants appeal 'for want of prosecution' although Wy Chief justice Kate M. Fox did reference that Fraud upon the Court evidence was submitted, but would be IGNORED.

The purpose of the evidence package submitted is to justify Fathers Request for relief and so he has time to work towards conclusion of rulings of Rights of the Schilthuis Family by the most appropriate venue of jurisdiction, which must be in Federal Courts due to Conflicts and exhausted opportunities in

(S)

Wyoming, and WYomings indifference to resolve problems on Constitutional merits.

Today April 5, 2024 Friday morning, Father is not aptly suited to apply Federal Rules of Procedure to this new Case filing.

Father does respectfully request quick review and ORDER GRANTING to be email filed to all Parties this day, April 5, 2024

Requesting an immediate Emergency Prohibitory Injunction and Restraining Order against The State of Wyoming and its Friends and Franchises Cease and Desist adversarial actions against the Plaintiffs under the color of law, and the purported Jurisdiction of Wy Title 20. This Emergency Injunction is neccessary immediately, Judge Bobbi Overfield has signed a Setting for Motion to Show Show Cause against Father, plaintiff, the day after Wyoming Supreme Court Chief Justice Kate M. Fox Dismissed fathers appeal "for want of Prosecution"

Both judges had been challenged on grounds of Jurisdiction and had not answered. Both Judges had been notified of Rescission of Jurisdiction yet did still move on issues sending Orders without Court Stamp nor Seal.

Fraud upon the Court is proven in evidence, and has been before the Wyoming COurts for months. What the Courts in Wyoming did, was they spoiled and deleted Evidence and did not allow Father to enable an Appellant Record. Bobbii Overfield plans to resurrect the Evidence in order to justify her threats to Force Father to sign deeds and property or face incarceration, on Monday April 8.2024. Father was served Motion to Show Cause papers on the evening of April 1 2024 by Big Horn County Sheriff, although the papers are Court stamped March 27 2024.

A prohibitive injunction

shall not infringe on the rights of any Defendants.

An injunction shall allow Father and minor children listed as Plaintiffs to file 42 USCS 1983 complaints against approximately 20 named Individuals operating for the State and receiving Federal funds Under Color of Law for proven Civil Rights violations, in a RICO conspiracy. This would be in the best interests of the teenage children, who seek Truth in this matter.

Criminal Complaints 18 USC 241, 241 shall also be completed. For the purpose of this emergency injunction we shall prove Fraud upon the Court, with collusion between multiple parties and entities. A prohibitive injunction will allow Plaintiff time to regroup.

Plaintiff has suffered illegal search and seizure, he did not receive discovery in the Title 20 proceedings, and pecuniary motions were placed on him so he could not Access the Court with evidence to defend himself. Plaintiff has proven Fraud and Wyoming state and friends have not disputed that fact, only that in order dismissing appeal, Wyoming Chief Justice states that 'for years it is our practice to dismiss if Appellant does not meet deadlines.' However in Fact Wyoming has terminated Father and childrens rights to Familial Association, and Wyoming Rules of Appellate Procedure do not allow extensions of the Brief deadline if it is a case regarding termination of parental rights, which itself becomes a Constitutional violation. Evidence provided will plainly detail that "demonstatives" were illegally submitted during closing arguments at Bench trial by

(9)

Plaintiff, then listed as Plaintiff exhibits in transcript, Nov. 2023, then listed as Defendants exhibits in Designated Record, Dec. 18, 2023, and when Plaintiff challenged the Trial Court, Trial Court deleted the "Demonstratives" entirely in a new Designated Record January 24, 2024., as they were illegally obtained, illegally submitted, and do not actually reference the Real property of the estate. However, Trial Court does plan to use this Demonstrative again to hold Father in contempt for his notice of Rescission of State of Wyoming Jurisdiction and as he was unable to accept their jurisdiction or he would be guilty himself and a Party to Fraud if he continued to appear Pro Se general appearance as Defendant. If Trial Court is allowed to enable a menacing hearing on Monday April 8 using the Evidence that Trial Court had deleted months before, the S- Corporation will be inevitably spoiled, and Plaintiff, a permanent resident may be deported. For Trial Court has demanded Plaintiff to file taxes and he cannot as he was removed from Real and Biological property for years without Probable Cause. And a 60 page Statement of Evidence, submitted in this request for injunctive relief details Judges, Clerks, police, individuals, attorneys all colluding and breaking not only Statutes and Codes of Wyoming, but also many Constitutional and Criminal actions also.

REQUESTED INJUNCTION

shall not infringe on the rights of any Defendants as follows:

1/ Plaintiff is not an Absent Father and communicates with family and keeps bills paid and sees the children as much as mother allows. Plaintiff was married 23 years to this lady and never harmed and always provided. The assets the Court plans to enforce division include S-Corporation construction, farming, and livestock, and real property, company headquarters, and equipment. The assets the Court plans to enforce division of were illegally seized and

2/ Mother, Defendant, has full control and use of all items biological and real property that she contests must be signed over to her, she has already enabled her own LLC for commerce, and using collaborative contracts with Wyoming social and civil services she continues using common property and historical S- corporation real and intellectual and biological property assets since May 30, 2021- date of Fathers illegal incarceration and removal from children- and before.

3/ 5th district wy court Decree of Divorce and Findings dated September 2023 of which Fathers copy is not signed, court stamped nor sealed is in contention, and legally Void, but does Order father to take all liability for the S corporation of which he is President owning 100 percent shares, And he is Ordered to file taxes but which he cannot having succumbed to illegal search and seizure of his company and property and children as documented on bodycams, testimony of defendant under oath, court filings and transcribed audio recordings to 4 Wyoming judges many Whom ng Bar attorneys, and police officers, and state social and civil services agents without any Relief, for years. Father did meet with IRS agent and tried to remedy but the IRS demands Father must file taxes with KNOWN DATA, and if he does not have such he must sue for the information. Be it known as all Defendants in Wyoming do, that Father is a Canadian Permanent Resident and he would be deported for false corporate filing of taxes, which Wy 5th judicial District Court intends to enforce in 3 days, with threats of fines, sanctions, incarceration being threatened against him already, in writing by the Wyoming Courts.

Father has standing to enable many 42 USC 1983 claims against Defendants and this April 8 Motion to show cause is an effort to further allow spoilage of historical records and movement of assets, which Fraud has already been proven but the State of wyoming colludes to subvert. We may review Order Denying Appellants Motion to Void Rule 60 where Chief justice Fox does ignore Fraud upon the Court and Due Process violations and instead defers judgement till appeal.

Order March 26 2024 by Chief justice Fox which acknowledges Fraud and evidence but she chooses to ignore.

We must review the Dockets and registered mail receipts and see that Wyoming courts continue to Fraudulently move and Order and bully on issues even after they have been clearly petitioned for review of Fraud, and then notified in timely manner of Rescission of Jurisdiction.

We know that Wyoming financially profits from these Fraudulent Acts, and monies are received by them from the Federal government, while

(10)

" Dear colleague " letter from US Department of Justice , office of the Associate Attorney General dated April 20, 2023 and
US Department of Justice
Civil Rights Division
Office of Justice Programs
Office for Access to Justice
Washington DC 20530 letter
Dated April 20, 2023

And the letter warns that " State and local Courts must be Constitutional and non discriminatory' But we know that Wyoming article 1 Courts do not give relief on Constitutional merit, and we would review the Orders against me in my cases and transcribed testimony of judges, to prove this. ' And as such Evidence as submitted with this Request for Injunctive Relief includes the Fact that in Plaintiff appeal to Wyoming Supreme Court s-23-0292 the State of Wyoming did, with Malice, spoil and Delete Evidence in the Appellate Record as it was obtained through illegal means, but Now that Wyoming Supreme Court has dismissed the Appeal March 26, 2024 and stated Plaintiff may not file any other paperwork with Clerk of Court, Lower Trial Court in Motion to Show Cause now again threatens to use that Deleted Evidence as excuse to destroy the Familial and Property rights of the Plaintiffs in this Request for Injunction.

while 'best interests of children" is an illusive Article 1 court standard by which to only fraudulently infringe on Familial and property rights and the State of Wyoming will not Stand on Constitutional footing.

Jurisdiction:

1/ federal District Court is aprapo for accepting jurisdiction of all matters with regards to the Schilthuis Family at this time.

We may review Supreme Court March 26 Order Denying , unstamped unsealed b ut signed by a 'chief justice Kate M Fox' the Wyoming Supreme Court with caption labelling Keri I Fox as Appellee Although no such person is involved in the case.

The chief justice states that the "case is closed and Clerk of Supreme Court shall not accept further filings" which is another violation of Due Process

2/Wyoming attorney general has written that they "only represent State entities"

3/ local Sherrif where Plaintiff resides states that "these are issues for federal court" and that he will not investigate as his agency and officers are named as Defendant

4/ Wy department of criminal investigation falls under jurisdiction if Wy attorney general, so there is a conflict

5/ Claims with regards to deprivation of rights and civil rights of many state entities are to be reviewed by Federal Article 3 courts, without local bias.

6/ Agencies and state and franchises and friends and individuals to be investigated receive federal funding, so Federal jurisdiction is appropriate

7/ Fraud includes wire transfers and activities by Defendants across state lines, and as such renews need for Federal Court jurisdiction.

~~4/~~ jurisdiction in federal court is also needed because father cannot obtain legal counsel to defend him. He has exhausted all options. University of Wyoming referred him to get counsel in Colorado, and non Profits such as "equal justice Wyoming" and Wy trial court have discriminated against father in his Motion to Appoint Counsel by stating that "father may not awarded Court appointed counsel because he stated he is willing to pay for services."

When Father realized fraud, he had to ethically and legally disconnect from agreeing the jurisdiction of Wy state, it's friends and franchises. Father was forced to attend filing on Special appearance, sui juris but Father does not really understand this process and the liabilities may occur.

Father is a Christian and although Wyoming religious studies division proved that 35,000

70

constituents surveyed stated that 67 percent identified as religious protestant, there is not a single Wyoming Bar Association attorney who will defend Religious rights in Family/criminal cases, and Fathers attempt to access such have been exhaustive. father feels that a permanent injunction against Wyoming is necessary to develop legal relationships where he can trust the Article 3 court procedures in the future, and attempt to hire counsel to do so.

5/ Moreover, Father and children have right to appeal to the US Supreme Court, and without a brief being enabled by the State of Wyoming, an opportunity is present to challenge Federal Oversight of Article 4 section 4 as it pertains to access to rights through a a Republican government given that Article 1 Courts are 'for profit' entities who do not protect individual Christian male defendants within their jurisdiction.

Father hopes that this summary proves an immediate injunction to stay the injurious imminent "show cause" hearing set for April 8, 2024 is necessary, and that it does not injure any party, and will allow Claims of fraud, racketeering , human trafficking , deprivation of rights to be fully investigated without spoilage to property, deeds and especially familial rights of Parties where minor children are named as Plaintiffs against individuals operating under color of law in the state of wyoming in this case.

- ⑧ Recovery ~~of~~ Punitive & Compensatory
DAMAGES TO BE ASSESSED
- ⑨ JUNK TRIAL WILL BE REQUESTED


Kevin Schiffer
Kevin Schiffer HCR

PO. Box 503
Lovelock, WY.
82431
307254-2583